### ABGUMENTS ON THE MOTTON FOR WHIT OF ERROR CONCLUDED.

State's Attorney Ortanell of Chlenge Makes the Final Pies Against the Motion, and Sec. Butler Closes the Argument in Favor of It—An Adverse Decision Expected.

WASHINGTON, Oct. 28 .- A group of twenty er thirty persons stood all the afternoon outide the little door leading to the Supreme Court chamber. The negro doorkeeper kept his head poked in between the double doors, and whenever he saw a person coming out he would beckon to one of the group to go in. Gen. Butler was talking, and the crowd were very anxious to hear him. The Supreme Court chamber will only accommodate about 200 perials, and nearly all of that number must be satisfied with standing room only. On the east side of the chamber, above the heads of the Jedges, there is a little gallery or recess which will hold about fifty persons if they are crowded in tight. During the sessions of the Elec-toral Commission in 1877 the pressure for admission was so great that the Marshel threw ppen the gallery to a few privileged people, leading lawyers, correspondents, and others. The best was so great that one or two fainted, but the gallery was always full. To-day the growd seeking admission was a less distin-guished one, and no cards were issued for the

gallery. Gen. Butler wore a swallow-tailed coat and a white crawat. In the place of his customary red rose he had a white bud and a purple leaf. Very few distinguished lawyers or laymen were in attendance. Gen. Black, the Commisbloner of Pensiens, remained near his brother, the Chicago lawyer, nearly all day, and a few prominent officials of the Government departments dropped in, but in general the crowd was an indiscriminate one. A majority of the lawyers here who have paid attention to the mass are very severe upon Handolph Tucker's Electrine, as laid down in his speech yesterday, and predict that the Court will refuse the writ of error. They think the lawyers in the case are making a poor showing, chiefly because they had no case to begin with.

When the Court opened the Chief Justice roquested Attorney-General Hunt of Illinois to proceed with his argument, but Mr. Hunt said that, as he had almost finished his argument resterday, he would not speak to-day, but would give place to his associate, States Attor-

that, as no would not speak to-day, but would give place to his associate, States Attorney Grinnell.

Mr. Grinnell began by saying that he thought, by the presentation of the law and the facts yesterday, that it was clearly shown that there was no Federal question involved, and that the Court was without jurisdiction to grant the writ of error. The assignments of error in the lower court and the parts of the record relating to the jurors, Denker and Sanford, had been printed and were in the Court's hands. In all the twenty-sight assignments of error there was no reference, directly or indirectly, to the Constitution of the United States or any of its amendments. There were some things, be said, which were here generally concaded, and one of them was that the Constitution itself confers no rights which need be here considered. It is simply a limitation of the rights of the legislative power in dealing with the rights of citizens. The Constitution of the States of Illinois contains almost all the provisions which are embraced in the Constitution of the United States. This court had settled, he believed, the question of jurisdiction, as far as the first ten amendments are concerned, and also, he thought, under the Fourteenth Amendment. The only clause of the latter which could figure here was that "No State shall deprive any person of life, liberty, or property without due process of law." Whatever affects liberty and life is made by this clause to affect also property. If the court had jurisdiction of this case under this provision of the amendment, then every State question relating to property, such as special assessments, the coademnation of property, &c., might be brought to this court for review.

The Chief Justice—Because they take properthe condemnation of property, &c., might be brought to this court for review.

The Chief Justice—Because they take property without valuation by a jury?

Mr. Grinnell—Yes, your Honor, in some cases they do, especially in the matter of drainage, where the proceedings may be before a Justice of the Pearson

where the proceedings may be before a Justice of the Peace.

Air. Grinnell said he thought it to be conceeded that a State Legislature had a right to prescribe how many peremptory challenges should be allowed in the formation of a jury. The common law of Illinois had been radically chaiged in this respect, and both prosecutor and lefendant now stood on an equal footing. Each defendant was entitled to twenty peremptry challenges, and as the eight defendants his case acted in concert, and were all conculted, each of them had practically 160 peremptory challenges. The State had a like numbe. The detendants exhausted all of their 19 peremptory challenges before a jury was obtained, and the State availed itself of its preliege to the extent of fifty-two challenges. He maintained, however, that no Federal question would be involved even if the State alloyed only one peremptory challenge to one sid and 160 to the other. It was the the State sight. In this case there were 981 men callednto the jury box and examined to obtain twelve jurors. No objection was raised to any one of these twelve jurors, with the single exception of Sanford. Denker was challenged for quee. After a brief examination, the challengewas overruled, and the defence gle exception of Sanford. Denker was challenged for suse. After a brief examination, the challenged was overruled, and the defence excepted; but they then proceeded with a further and hore elaborate examination of him, and it is sown by the record that after this second examination they desired to keep him, that they did keep him and that they made no furthelexception. When Denker was taken the defend had 142 peromptory challenges left, and hey could have used one of these challenges be get rid of him it they had been very desiros of so doing. They had forty-three poremitory challenges left after eleven jurors had been sworn. These forty-three challenges the frittered away frivoiously, foolishly, and rideulously, for the purpose of taking some posible advantage. Not a single juror was pulupon the defence to exhaust their peremptor challenges. Whenever a man said that he hadataked with a witness or any one who was preent at the Haymarket meeting, or that he hadataended the Coroner's laquest, he was rejected for cause. Spoaking of the jury as a whole, M. Grinnell said:

I wish and am constrained pay one tribute to that dury, it exemptified Americaletic shail in this countries.

of the jury as a whole, M Grinnell said:

I wish and am constrained o pay one tribute to that jury. It exemplified Americalcitizenship in this country more than any jury that wa ever looked upon. It embraced all walks of life. They of them earned their living by manual work. They obserom all parts of the country, and one of them washorn on foreign soil. They were not a "class jury." The were honest citizens, with the solemin duty devolving unn them of determining what should be done with these men. No Judge could look in the faces of that try without saying: "They are intelligent: they represely american citizen ghip; they are fit to be trusted withor rights of freemen under our Constitution." There've not a capitalist on that jury. They were all commonlance small dealers and intelligent men.

men under our Constitution." Therevas not a capitalist on that jury. They were all commonlance small dealers and intelligent men.

Mr. Grinnell said he would chilenge any one to show that a single member of that jury was not a competent juror, not only uder the jury law of lilinois, but under the ommon law. Congress, he said, had recognized the right of States to make their own jury laws. Section 800 of the Revised Statutes provides that "Jurors to serve in the cours of the United States in each State, respectively shall have the same qualifications and be on titled to the same symptions as jurors of the highest court of law in such State may have and be entitled to at the time when such jurors for service in the courts of the United States are summoned." Almost every State in the Northmow has its new jury law, and these laws hab been sustained by the highest State courts.

Proceeding to the question of unreasonable scarch and seizure "in Spies' office, he said it did not strike him as being any part of case. He was not here to offer any apologies for his own conduct. He then reclied at some length the circumstances of the bom throwing in the Haymarket, the search of the Arbeiter Zeitung office, the proving open of Spies's ceals, the finding of dynamite and letter there, the breaking open of Linga's domicile and the finding in interrupted at this point by Gen. Buttle, who said he should want to cross-examine his if it was competent for him to do so.

Mr. Grinnell You shall have that privage, General.

Mr. Grinnell, resuming, said that such size.

was competent for him to do so.

Mr. Grinnell—You shall have that privinge, General.

Mr. Grinnell, resuming, said that such sigure was not a thing which this Court caid begulate. It had said in the Ker kidnapping fase that it was not for the Court to determise how he (the prisoner) got there. The thing letzed in the search of these prisoners presides "were thore," and it was not for the Court to determine whether they were legally there the only uestion was: "Are these things testimony," and that was not an inquiry for this court. Forgory, murder, and other crimes had to be proved by such evidence. The nistol found in the hand of the assassin Guiteau was loreibly taken from him, and his papers, if I sumember rightly, were overhauled. They were "there." (That is, in the court, and it was nobody's business how they got there. That the search and seizure in this case were unreasonable search and seizure from the point of view of the defendants I have no dent.

GEN, BUTLER'S ABGUMENT.

At the conclusion of Mr. Grinnell's argument, which had occupied less than half the time to which had occupied less than half the time to which he was entitled. Gen. Butler rose and said that the introduction of all this new matter interring to Mr. Grinnell's recital of the circumstances and results of the searches and half which he had not seen anywhere in print, would compel him to ask for more time than has been allotted to him; that this extraneous matter must be popular with the Court or its introduction would not be permitted.

The Chief Justice said that the Court could not know whether these matters were in the search or not but, as they were stated by the

State's Attorney, the Court must assume that State's Attorney, the Court must assume that they were.

Gen, Hutler said that he had not examined the whole 8,000 pages, but he knew be could demonstrate that some portion of this extraneous matter was was very different from what appeared in the record, and he must ask for more time to speak with reference to matters of which he had not before heard. He and his associates had been taken by surprise, and the lives of their clients had thus been put in jeoparty.

Mr. Grinnell, interrupting, said that he un-

ives of their clients had thus been put in jeopardy.

Mr. Grinnell, interrupting, said that he understood the counsel on the other side to make a complaint to the Court that there was an indication of unreasonable search and seizure. Their printed brief showed that a great many things had been seized, and he (Grinnell) had simply added that other things had also been seized. "In other words," said Mr. Grinnell, "we admit the seizure and we admit more seizures."

Gen. Butler said that he would state the points of contention, and if he stated them wrongly he wanted to be corrected "by any gentleman who did not advocate the right to steal men and to steal their papers." After describing what happened previous to the Haymarket meeting, he said:

"At that meeting a bomb was thrown by somebody for some purpose, and there is not one word in these 8,000 pages of evidence to show that any one of these men had anything to do with throwing that bomb. There were but two of these men within miles of that meeting, and one had his wife and two little children in the very place almost where that bomb was lighted. Its explosion killed a single policeman, and within a few days all of these men were arrested without warrant.committed to jail, and held there without examination and without process until they were indicated by a Grand Jury. And to describe a simple crime, if orime it was the State's Attorney had to draw an indictment of sixty-nine counts of the indictment there was no conspiracy alleged."

Gen. Butler said that he was ready to piedge himself that there was not as single man of the invy selected who had not said that he had a firm—and some of them an enthusiastic—conviction, opinion and prejudice against the defendants.

After a great deal of rambling talk about the composition of the jury disastisfaction with

firm—and some of them an enthusiastic—conviction, opinion and prejudice against the defendants.

After a great deal of rambling talk about the composition of the jury, dissatisfaction with the record. lack of time for preparation, the sentencing of the prisoners in their absence and that of their counsel, the injustice done them by "unreasonable search and selzure," &c., Gen, Butler said that if all these things could be done "the question was to be debated whether this Government would not be a little better if it were overturned into an Anarchy than if it were to be carried on in this fashion. I have no fear," he said, "of being misunderstood upon this question. I have the individuality of being the only man in the United States that condemned and executed men for undertaking to overturn the law. There were thousands of them. And for that act, please your Honors, a price was set on my head as though I were a wolf, and \$25,000 was offered to any man that could capture me to murder me by Jefferson Davis and his associates, and who, if they were here at your bar, trying to ascertain whether they should have an honest and a fair trial for their great crimes, and they called upon metheir lives in danger—I should hold it to be my duty to stand here and do all that I might to defend them. That is the chivalry of the law, if I understand it, and if I don't it is not of much consequence, for I am quite easily and quickly passing away."

Gen. Butler said he agreed fully that the first ten amendments of the Constitutions were limitations of Federal power, and not restrictions of the rights of the States. The "privileges and immunities" however, claimed by these prisoners, were privileges inherent in each one of the citizens of the soveral States of the United States, because in vast majority we were British subjects, and had certain privileges and immunities inherited under the common law and Magna Charts, and among them, and the most thoroughly known and defined were the trial by jury for all high crimes.

mon law and Magna Charta, and among them, and the most throughly known and defined were the trial by jury for all high crimes, exemption from search and seizure without warration of the provided the provided of the liberty, or property without due process of law. We claim that all not to be deprived of life, liberty, or property without due process of law. We claim that all the rights, privileges, and immunities that belonged the a Hritish subject under Magna Charts belong the west clitizens of States—by naturalization, these rights, privileges, and immunities came to them as citizons of the United States were made—not clitizens of States—by naturalization, these rights, privileges, and immunities came to them as citizons of the United States. The effect of the Fourishts, privileges, and immunities to the citizens of all the States.

The words "due process of law." as contained in the Fourieenth Amendment, and as used to define one of these guarantorization and used to define one of these guarantorization of the country—the whole country. That is the law of the land, and was so understood by our forefathers as "due process of law." Any other meaning the Fourteenth Amendment, would make it simply ridiculous and frivolous because any State may enact a "due process of law." Any other meaning the Fourteenth Amendment, would make it simply ridiculous and frivolous because any State may enact a "due process of law." Seconding to that State by which a man's life that the subject of the land, and the third of the land, and the United States becomes wholly inoperative. For any other the process of law and the law of the land, and that these prisoners were entitled, by virtue of treaties were the upreme law of the land, and that these prisoners were entitled, by virtue of treaties were the supreme law of the land, and that these prisoners were entitled, by virtue of treaties of the causes of a republican for high process of the proc

they had not raised sufficiently formal objections.

Gen Butler then returned again to the "unreasonable searches and seizures" complained of by the petitioners, and said his associate. Mr. Tucker, had characterized the proceeding as a subpagna duces tecum executed by I locksmith. "Why your Honors," he extained. "they searched under a burglary haded by the State's Attorney on his own admission—no miserable policeman or half-witted constable, but the State's prosecuting atterney, does the burglary, steals the papers, akl says you can't help that. He puts it with a set of frumph, and yet we are told that our immunities and privileges are not favaded, and that our remsky is to sue for trespease. What a beautiful remody! Sue the State's Attorney and be tried by such a Jury as the laws of kinois would give! Better be in a place not so be named for comfort!"

As a final reason why the writ should be graned, Gen. Butler urged that the prisoners had been sentenced to death in their absence, and sithout being asked whether they had any reason to give why sentence of death should

not be pronounced upon them. The record, he said, did not show that they were absent when sentenced, but they could prove it. The record showed that they were present, but they could prove by half Chleago that this was a mistake. In conclusion, Gen. Butler said: "May I. in closing, make one observation. If men's lives can be taken in this way, as you have seen exhibited here to-day, better anarchy—better be without law than with any such law." Gen. Butler then thanked the Court for its indusence and took his seat.

The Chief Justice called "Case No. 39" (the next case on the docket), the clork answered "Beady," and the hearing of the motion of the Anarchists for a writ of error was over.

THE ANARCHISTS SUBDUED. Interesting Technicalities in Regard to Pe-

titions for Clemency. CHICAGO, Oct. 28.—There is the keenest suspense at the jall over what the United States Supreme Court may do in the Anarchist case. All the friends of the condemned men come to see them every day now. There is a palpable change in the demeanor of them all. The doomed men keep a firm front and unabated composure, but there is no bravado or pretence of gayety. The wives and friends present a melancholy picture as they talk in very subdued tones through the bars, and if visitors are not hustling about the cage and making a running fire of audible comments there is the hush of a funeral. The jail officials, from the responsibility resting upon thom, are also nervous. News from Washington, especially to-day, was waited for impatiently and yet fearfully. Mrs. Parsons said that if a writ of error was granted their attorneys would probably telegraph them the joyful tidings.

A despatch from Springfield says that among all the communications that have reached the Governor for and against elemency for the Anarchists, there is but one formal petition, and that is mailed from a small interior town in New York. It bears only eight signatures, and the first one is "William Dean Howells, editor. Boston." The main body of all the other literature on the Governor's desk on this subject consists of personal appeals and remonstrances. It has already become an interessing question, therefore, whether there is such a case before the Goveanor in behalf of these prisoners as he could act upon. In fact, the Governor says that no such application or petition as is comtemplated in the law has been filed in behalf of the Anarchists. The law requires that the application shall be made by petition in writing to the Governor, signed by the party under conviction or other persons in his behalf, shall contain a brief history of the case and the reasons why such pardon should be granted, and shall also be accompanied by a statement in writing made by the Judge and prosecuting attorney of the court in which the conviction was had, stating their opinion regarding the case, or, in the absence of a statement does not accompany the petition; and, finally, it is made the duty of the Judge and prosecuting attorney of the court in which the conviction was had, stating their opinion whenever such petition is prosented to them.

None of these legal formalities have yet been complied with. Whether the Governor why such statement does not accompany the petition; and, finally, it is made the duty of the Judge and prosecuting attorney of the court in which are also not conforming to these legal requiremen there is the hush of a funeral. The jail officials. from the responsibility resting upon thom, are

49's MASS MEETING TO-NIGHT. The following call was issued yesterday:

OFFICE OF DISTRICT ASSESSALY 49, 1 197, 68, 198, 40, 91, 198, ash ornass. 1 To all Kalahts of Labor and their Friends who are desire of perpetuating the principles upon which the Governme To all Knights of Labor and their friends who are destrous of perpetuating the principles upon which the Government was all to be your assemble in your thousands at Union squared to-morrow (saturday) night, and show by your presence that there is still manihood enough left in the industral heart of the nation to enter a vigorous protest against the execution of seven men in Chicago, whose only orime was love for their fellow men and a desire to agriate for the clevation of humanity. In protesting against their execution you protest against the suppression of free speech. In denouncing the powers that demand their blood you but denounce the system which has rendered it possible for the judiciary of the State to be controlled by the demons of avarice who are trying to entitle the Constitution of the nation, and make of this land of the free a despotism worse time any which to day curses unfortunate Europe Against which for the state of the st

# A DISTRESSING DEATH.

A Young Woman Falls Dead Amid Laugh ing Friends in a Palace Car. PITTSBURGH, Oct. 28.-A pathetic story was told this morning by the Pullman conductor of the Pan-Handle limited from Cincinnati. A beautiful young woman, travelling alone from Cincinnati to her home at Xenia. Ohio, had suddenly died during the night. A few moments before the train left Cincinnati yesterday, she, with a beyy of other young women, came to the train. She had been on a visi there for several weeks, and her friends expressed regret at seeing her leave. They kissed her farewell and wished her a safe and pleas-

her fareweil and wished her a safe and pleasant journey home, all promising to return her visit in a short time.

She was provided with a seat in one of the parlor cars. She sat reading a magazine for an hour, and then engaged in a conversation with a number of the women who were passengers with her in the car. She was so handsome, and so pleasant and attractive in her manner, that she soon drew the attention of aimost every person in the car, and her journey was being made a very pleasant one.

"It was a joily crowd. Everybody seemed in a good humor," remarked the conductor." and when I last passed through the car I noticed that the young lady was having a gay time. A moment laiser she threw up her arms, gave a slight shudder, and was dead. Her body fell from the chair before her fellow passengers could realize what had happened. The scene of pleasure was suddenly changed to mourning. The ladies cried bitterly, some of them fainted, and the gentlemen wiped the tears from their eyes.

"The train sped on at the rate of thirty miles an hour, and the body of the young lady was not cold when we arrived at Xenia. Her father was at the station to meet her. One by one he watched the passengers stepping from the train, expecting to see his daughter next. He then stepped up and asked if his daughter was at the station to description.

"I told the old gentleman that her body was in the car; that she had died while en route," said the conductor. "The old faither was horror stricken and had to be assisted into the station. The body was removed and our train pulled out. I could not learn her name."

# Taking Chances on a Barrel of Beer at

New Haven, Oct. 28 .- A few weeks ago, the Rev. Father Gleason, pastor of the Catholic church in Portland, Conn., decided to hold a fair for the benefit of his church, and went among his parishoners to solicit articles. James Laverty, a wholesale liquor dealer, contributed a barrel of beer, which Father Gleason accepted, and for the past few nights the attendants at the fair have been taking chances on the beer at twenty-five cents a ticket. The liquor dealers of the town looked upon this as a bit of competition not to be tolerated, and have indirectly applied to Collector Troup to request Father Gleason to take out a United States license for selling mait liquors at wholesale. The Collector does not wish to interfere with the fair, neither does he wish to place the pricest in an embarrassing position, and is waiting for the liquor dealers to make a formal complaint. This the saloon keepers are affaid to do, and in the mean time the barrel of beer is becoming a source of revenue for the church treasury. attendants at the fair have been taking

# A Botler Full of Paint Explodes.

CLEVELAND, Oct. 28 .- A peculiar explosion, that killed two men, injured two others so seriously that they are likely to die, and badly hurt two more, occurred this afternoon at Topliffe's Carriage Works on East Prospect Topliffe's Carriage Works on East Prospect street. About 3 o'clock a huge boiler fuil of chemical paint exploded, scattering its contents all over the room in which six men were working and seiting fire to the building. The flames were soon extinguished and the dead and injured taken out. The dead men were Albert Stembrock, married, a japanner, and John P. Suckmer, a Bohemian laborer. Both were scalded and burned to death. The men seriously injured are Frank Unger and Charles Booma, both Bohemian painters. Those less badly injured are John Reflor and Philip Bruchler, painters.

# Assisting the Striking Miners.

SHENANDOAH, Pa., Oct. 28 .- The business men of this place to-day completed the organization of an association to continue during the miners' strike as a financial auxiliary. the miners' strike as a maneral auxiliary.

Over 300 merchants are enrolled. Ward committees to day received plednes of over \$400, to be duplicated every two weeks as long as needed. A committee was appointed to draft resolutions of sympathy for the men, detestation of their employers' course, and to declare a boycott on the Lehigh Valley Railroad. These resolutions will be signed by all the members and then published. BETTER TIMES ARE AHEAD.

THE FIRMS OF AN EXPERIENCED AND COMPETENT OBSERVED

Gen. J. H. Wilson Tells what he Learned on a Western Trip Made for the Parpose of Examining the Condition of the Country. One of the best known railroad men in the country is Gen. J. H. Wilson of this city. He was for years manager of the St. Louis and Southwestern and of the New York and New England and other railroads. He is now interested in railroads as an investor, and his long experience with the railroad interests of the country makes his judgment in those matters peculiarly valuable to his friends, Gen. Wilson recently returned to New York from a long Western trip. A Sun reporter found him in his office in Wall street yesterday afternoon and asked him what he thought about Western railroads and their prospects.
"I went West to satisfy myself," said the

General, " as to the business condition of the country there, having in view especially the influence of railroad building and of the real estate boom in the West upon stock values. I saw and conversed with many leading real estate managers, railroad men, and merchants, and my conclusions are that the cyclone of disaster which has been predicted for us has already passed by, leaving but a few unimportant wrecks; that a conservative feeling which has recently been intensified spread throughout the West two or three months ago, and that so far as railroads are concerned. any changes in freight and passenger rates on roads west, northwest, and southwest of Chicago are apt to be for the better and not for the worse. The opening of two new lines to the Northwest, the Chicago, Burlington and Northern and the Minnesota Northwestand Northern and the Minnesota Northwestern, was followed by a reduction of rates. As
to the former road, it was built under the sanction and implied protection of the Chicago.
Burlington and Quinoy road, and the best opinion in that section of the West is that the
parent road will be compelled to rake it over
and become responsible for its business management. It is claimed that it did not make
any reduction of rates in that it did not make
any reduction of rates may be expected when
reduce the rates on the lakes, and there
is good to see on the lakes, and there
is good to see on the lakes, and there
is good to see on the lakes, and there
is good to see on the lakes, and there
is good to see on the lakes, and there
is good to see on the lakes, and there
is good to see on the lakes, and there
is good the see of the lakes, and there
is good the see of the lakes and there
is good the see of the lakes and there
is good the see of the lakes and there
is good the see of the lakes and there
is good the see of the lakes and there
is good the lakes and the register than they were before the completion of these
new lines and the passage of the Inter-State
Commerce bill, are, on the whole, higher than
they have been at many times during the prevslence of rate wars, and are very much more
stable, owing to the publicity now required by
the law. As to the passenger rates, the price of
2,000-mile tickets has recently been reduced
by agreement from two and one-half cents to
two cents per mile; but this is morely a restoration of rates which prevailed prior to the inter-State Commerce law, and is regarded by all
as likely to produce but a very inconsiderable
change in the revenues.

"As to the disturbance, which it has been
feared would follow from the opening of the
new Chicago and Kanasa lines, it need only be
said that the Atchison, Topeka and Santa For
road, controlling, as it does, a very large business
from its system southwest from Kanasa
City, and we see the passenger to the conservative.

"The case is ern, was followed by a reduction of rates. As to the former road, it was built under the sanction and implied protection of the Chicago.

"The transcontinental lines have recently agreed to disregard the rivairy of the Canadian Pacific roud and to maintain rates with each other. And there is reason to believe that the management of the Canadian rates with each other. And there is reason to believe that the management of the Canadian rates with each other care rates to a minimum if it does not, indeed, come into an agreement to maintain rates with the other roads or to divide territory. It is believed by people well informed that it will come into such an agreement within the next two or three weeks."

The anamists have predicted that the Manitoba road, which is expected to reach Holena in a short time, will work the ruin of the Northern Pacific. But it must be remembered that this road has been expended an agreement in the contract of the

The Cottone Gots Prof. Berling's Collection Mrs. Amelia Delacrolex, legatee of Prof. William Darling, has given to the medical de-partment of the University of the City of New York the valuable anatomical collection owned by him, on condition that it shall be known as The Taylor funcuum of Anatomy.

THE EXPRESS HALF AN HOUR LATE,

And so it was Only a Freight Train that CHICAGO, Oct. 28 .- Despatches from Morris and Joliet, Ill., report that a most disbolical plot was laid near Morris early this morning to wreck the Kansas City passenger train on the Rock Island road. The wreckers succeeded in making a wreck, but it was of

freight, and not the heavy passenger train.

The wreckers placed a telegraph pole, with the butt end toward the approaching train, on the track, and the engine and a dozon care were piled in a heap, making a huge mound of broken timbers, car wheels, and freight, Engineer John Mills and Fireman William Orth were both killed outright, John Kane, head brakeman, who was in the cab when the crash came, saved himself by jumping out. spraining his left ankle badly, and receiving a score of cuts and bruises from flying pieces of timber. The men killed both lived in Chicago, where they each have a family.
On striking the obstruction the engineer

whistled for brakes, when a flying missile struck him on the head and laid him prostrate,

whistled for brakes, when a flying missile struck him on the head and laid him prostrato, and the escaping steam hurried his doath. The fireman was unable to jump soon enough, and when he did so the first car was pushed against him and he was horribly mangled. His remains were found under the fire box of the locomotive by the side of the car, and were so completely covered with debris that they were not found for nearly an hour after the accident.

The Coroner's jury is at work on the case. The train expected to have been wrecked was thirty minutes late. Had it been on time, the fate of the passengers would have been as horrible as that of the victims of the Chatsworth disaster, judging from the manner in which the first five freight cars, loaded with brick, scrap from, paper car wheels, and grain, were reduced to spilnters.

At Joliet the excitement is intense, as it has been delinitely ascertained that the obstruction was placed on the track with the deliberate purpose of wrecking the passenger train. The belief is that the ichwartz-Watts express car murderers and robbers and their friends planned the crime. Two thousand dolines reward has been offered by the Rock Island Company, and detectives are on the ground.

General Manager St. John says:

"My impression is that some tramp committed the net. I do not think that the conviction of Watts and Schwartz for participation in the express robbery had anything to do with it or that revenge was the inspiring motive. I think it was some tramp put the obstruction there, and it is altogether likely that his object was robbery."

#### SYLVANUS COBB, JR.'S, WILL. He Enjoins his Relatives and Friends Not

to Put On Any Emblem of Mourning. BOSTON, Oct. 23 .- The will of the late Sylanus Cobb, Jr., the well-known novelist, was filed in Dedham to-day. It is in the handwriting of Mr. Cobb, and was written thirteen years ago. It is full of expressions characteristic of the writer. At the outset he says:

"I do now, in my health and strength, know ing how uncertain are the things of this lower life, and desiring, in the event of my falling unexpectedly into the sleep that knows no earth ly waking, that my worldly affairs may justly settled, provide as follows: First, I yield my spirit back to the God who gave it, with full my spirit back to the God who gave it, with full faith in His eternal goodness. My body, when it shall be known that life has departed, may be returned to its mother earth."

After certain provisions for the widow daughters, and grandehild, the instrument further says: "And I appoint my wife, Mary Jane, sole executivs of this my iast will and testament, with full powers to carry out my desires as herein expressed according to her judgment and convenience; and she shall not be called upon to give bends, nor shall she be hampered in any way. The efforts of her life have been united with mine in the gaining of our home, and I thus but render her what is her due. But I ask her, in the event of her marrying again, that she shall estimate the value of the property remaining in her possession derived from the provisions of this instrument, and that she will, before such marriage is consummated, give to my describe. this instrument, and that she will, before such marriage is consummated, give to my daughter. Ella Wait, one-third of said property; and I do set it down as my express desire that no member of my family, or relative, or friend, shall for me put on at any time any outward badge of mourning. Let no blackness of crape or funeral weeds cast its gloom upon my memory. I would that my beloved ones should seek the brightness and fragrance of faith, and trust in God rather than the gloom which belongs to doubt and unrest. I go to find more light. Add ye not to darkness. God bless you all."

PROBABLY SHE KILLED HERSEL Mrs. Anna Williams's Life Ruined by a Runnway Match at 15,

ASBURY PARK, Oct. 28 .- The mystery surrounding the death of Mrs. Anna Jackson. who died on Tuesday at the house of her parents in Main street, grows deeper daily Drs. Brown, Johnson, and Wilbur testified they found crystals of corresive sublimate in the stomach, Mrs. Jane Williams, the dead woman's mother, testifled that Anna was married to Coriiss Jackson eleven years ago, when she was not quite 15 years of age. She ha came acquainted with young Jackson, who was only two years her senior, while he was serving milk to the family, and ran away with him. The young couple lived together about two years, when Anna returned to her parents house after having a bitter quarrel with her husband. The night she died she called her mother and told her that she was suffering from oil of cloves, which she had swallowed while trying to pour some on an aching tooth. She died several hours later in great agont. She died several hours later in great agont, She said she wanted to die, so as to be at peace. Coroner Van Woert produced a bottle which he found this morning in her bedroom. It was lying on the sists under a mattress and two feather beds. It contained about an ounce of corrosive sublimate. The bottle formerly contained crystals of nitrate of silver, purchased of a firm in Philadelphia which deals in supplies for photographers.

Mrs. Williams testlied she never saw the bottle before. Michael Derwin testlied that he loved the dead girl, and that they would have been married a year ago if she had been divorced. Mrs. Sarah Cavaley, the dead girl's cousin, testlied that she called to see Anna on Sunday afternoon, and Anna told her that she had been greatly worried because young Perwin drank heavily at times. George Battersby, a youth who takes care of the horses of Photographer Stauffer, was at the house on Sunday. He testlied that he never saw the bottle of corrosive sublimate before. Mr. Stauffer is positive that it came from his establishment. The inquest will be resumed to-morrow morning. house after having a bitter quarrel with her morning.

# An Ohlo Minister Suspended for Stealing

Flatiron. CINCINNATI, Oct. 28 .- A church committee at Xenia, O., appointed by the Cincinnati conference M. E. Church to investigate charges against the Rev. H. M. Keek, stationed at Codarville, O., to-day found the minister gullty darville. O., to-day found the minister gunty, and recommended his suspension from the ministry. The charge against him was the larceny of a flatiron from the store of Joshua Wedf in Xenia. It was shown at the trial in the Mayor's Court that he put the iron in a bucket, and hid it in his buggy, where it was found by a man who suspected him. Mr. Keck said in explanation that he had taken morphine that day, and did not know what he was doing.

Conl Scarce and High in Connecticut. NEW HAVEN, Oct. 28 .- Coal is getting senree and high in all the towns and cities o the State, and it is a problem with dealers how to supply the demand, which they have not been able to solve. From \$7 to \$10 per ton for anthracite coal is now asked, which is higher by from \$3 to \$6 than has been charged in ten by from \$3 to \$6 than has been charged in ten or a dozen years, and the coal men are not able to supply the customers at these figures. In some towns there is a fair quantity on hand but in others the vards are nearly empty, and there is no prospect at present of their filling up. The cause of the trouble is due chiefly to the strike at the mines, but indirectly the East is suffering because the railroad companies are rashing anthractic coal west better lake mives leaves very little coal for New England while the West is being cared for. In some places much inconvenience and actual suffering is expected before the winter is over, and the black diamonds will bring any price asked.

#### Confingration of an Eating House. "O. Patsey, pike the beanery!" shouted

one of the Arabs who were playing about the corner of Frankfort and Pearl streets last night as a tiny flame began working its way through the little lunch box under the stair way of the Franklin square station. The shouts way of the Franklin square station. The shouts of the small boy brought a pollesman, and an alarm was turned in. It was answered by several engines, about 1.000 children, as many more men and women, and a dozan pollesman. In a moment this discensary of one-cent plates of beans and one-cent cups of colles became a wreck. The burning building was first thrown on its face, then the roof was kicked off, and the end had come. It was one of the St. Andrew's cheep eating houses. THE "BOSTON BATE."

Testimony as to Alleged Discrimination in

WASHINGTON, Oct. 28 .- The hearing upon the complaint of the Boston Chamber of Com-merce against the New York Central, Lake Shore, and Boston and Albany Railroads, before the Inter-State Commerce Commission. was resumed at 10 o'clock this morning, and the examination of Arthur Mills, general traffic manager of the Boston and Albany Railroad. was continued. He stated his belief that, should the "Boston rate" be decreased, connecting lines, which now take their share of the rate for carrying grain to points beyond

necting lines, which now take their share of the rate for carrying grain to points beyond Boston at the same rate, would refuse to continue the arrangement. This would leave southern New England practically to the Pennsylvania Railroad without competition. William H. Lincoin, agent of the Leland Foreign Steamship line, testified that he was familiar with the system of making through bills of lading, and thought any abandonment of the system would be disastrous to business generally. The shipper could now get his money as soon as the bill of lading was signed, it in effect furnishes capital to the business interests of the West. Witness declared with emphasis that the Boston steamship lines could bear no further burdens, and that if the drawback were not paid Boston would have to do its importing through New York or elsewhere. Witness had formerly thought the discriminating charge of five cents a hundred against Boston was an outrage, but had modified his opinion somewhat since hearing the testimony already given before the Commission to the effect that cars were not so speedily unloaded in New England as in New York.

Asthan Guilford, general traffic manager of the New York Central Haliroad, identified a number of tables prepared under his supervision. Mr. Guilford said that the "Boston rate," being but a fraction over half a cent a mile, was just and reasonable, and that the New York rates were too low, but were governed by varer competition. He did not think the New York rates was reasonably profitable for the railroads.

Vice-President Horace J. Hayden of the New York President Horace J

railroads.
Vice-President Horaco J, Hayden of the New York Central and Hudson River Railroad testified that a reduction of the Chicago-Boston rate would, he thought, necessitate a reduction of at least ten thousand other tariffs. The present rate, less than six mills per ton per rate would, he thought, necessitute a reduction of at least ten thousand other tariffs. The
present rate, less than six mills per ton per
mile, was generally recognized as reasonable.
The complaint of the Boston people, as witness understood it, was that at present rates
they could not supply the country, as they
formerly did, between Boston and Portland.
The conditions under which they could do this
passed away long ago. Boston could still undersell other points which depended upon allrail lines, but it was possible that a little grain
came through by water at lower rates than
Boston could get. To remedy this by foreing a
reduction on ten thousand outside tariffs
would, witness thought, be unjust. The export business had been handled by the railroads at a little less than the usual rates, because on local business the roads were getting
a little extra. It had often happened when
cars were scarce in the West that the Boston
trade would be supplied by reason of the
slightly greater rate, while that for other points
would suffer.

The taking of testimony was concluded and
arguments will be made on Nov. 17.

A MAD BRIDEGROOM.

# Broker Lawrence's Wedding Tour Ended in a French Lunatic Asylum.

De Witt Clinton Lawrence of the Stock Exchange was adjudged of unsound mind yesterday by a Sheriff's jury and Commissioners James W. Ranney, Lucius L. Van Allen, and

William Belden.
Mr. Lawrence is now confined in the Middletown Lunatic Asylum. He is about 60 years of age. About six years ago his first wife died. From that time, it is alleged, he was a changed man. He became suspicious, extravagant. eccentric, labored under delusions that a con-

man. He became suspicious, extravagant.
eccentric, labored under delusions that a conspiracy was formed to deprive him of his
rights, and also that he was afflicted with a
contagious disease.

Last June Mr. Lawrence suddenly left this
city for Europe, and, by an arrangement, met
at Geneva Mrs. Colton, who was waiting there
to become his bride. He was married there on
July 21, and the couple went on a wedding tour.
On the day of his marriage he was very despondent, and the wedding trip was shortened
on account of his melanchely condition. Mrs.
Lawrence is about 39 years of age. She soon
found that her husband's condition was very
dangerous. He complained that he sawdouble
and heard strange noises. At Paris eminent
physicians declared him to be insane, and he
was incarecrated in the Ivry Asylum. He was
brought to this country several weeks ago and
put in Middletown Asylum.

These facts were testified to yesterday by
Robert Lawrence, a son, and Cyrus J. Lawrence, a brother of the demented broker, and
Drs. Walker S. Wylie and M. Allan Starr.

The family are all united in the proceedings
just instituted. Physicians told Mrs. Lawrence that it would be dangerous for her to
live with her husband on account of his condition, as he might kill either her or filmself.

Mr. Lawrence's estate is valued at about
\$70,000, chielly personal property.

Miss Henrietta Schwartz, a fashionably dressed young woman, who is a money broker at 916 Broadway, was arraigned before Justice dressed young woman, who as a not a second 16 Broadway, was arraigned before Justice Gorman yesterday, charged with a breach of the peace. Miss Norah McKenna, a dressmaker, on the second floor, directly below the maker, on the second floor, directly below the maker and the second floor and t complainant. She has complained of Miss Schwartz several times recently, and on June 25 Miss Schwartz was held in \$1,000 ball for good behavior for one year. Miss McKenna stated that Miss Schwartz behaved improperly in her rooms, recoiving men visitors, using bad language, and otherwise annoying other occupants of the house. She had even tora down the signs on the walls of the hall.

Alies Schwartz said that it was all a con-Aliss Schwartz said that it was all a conspiracy to rob her of her good name. She said she could prove her good character, and referred to Emigration Commissioner Stephenson, who was present in court. He testified that he had known Miss Schwartz for four years. As President of the Home Bank he had had business dealings with her, and respected her as a bright young business woman.

Justice Gorman puroled Miss Schwartz on her own recognizance and reserved his decision.

A Ynic Senior's Excusable Mistake. NEW HAVEN, Oct. 28 .- One of the most cherished of Yale's time-honored customs is the "senior bow" to the President in chapel. Immediately after finishing his prayer the President goes out by way of the centre aisle, on either side of which are the seniors standing in fours in their pews, and as he passes along they make their bows. This part of the along they make their bows. This part of the exercise is of peculiar interest to the visitors in the galleries, who are, for the most part, of the fair sex; and it is only just to say that the visitors are of peculiar interest to the students. This morning there were two young ladies in the rear gallery who were so attractive to a young senior that, in his admiration of their beauty, he allowed President Dwight to pass by him without bowing, not noticing his mistake until seeing his classmates going down all around him, as ripe grain bowed by Eolus. The visitors and some of the seniors noticed it, and the students indulged in a merry ripple of laughter just audible to the occupants of the galleries. Evidently senior year is one in which the students take up studies which are not required to obtain the degree A. B, if the Yale song be true:

In senior year we take our parts In making love and winning hearts

# The Fisheries Negetlators.

WASHINGTON, Oct. 28 .- Messrs. Angell and Pulnam, the fisheries negotiators, have returned to Washington, and are in frequent consultation with Secretary Bayard regarding the approaching negotiations. The English Commissioners are expected here about the Commissioners are expected here about the end of the first week in November. Instructions will be given to the United States Customs officers to extend to the Commissioners the courtesies usually accorded visiting diplomats in the matter of free admission of personal effects, &c. It is the present intention to have the negotiators meet in the department building, and the large room near the Secretary's office, known as the diplomatic reception room, will be set apart for their consultations.

Chlengo Bucket Shops Will Keep Open, CHICAGO, Oct. 28.-Judge Collins's decision in the Murchy injunction case has given the bucket shop people renewed courage. They feel confident that the appellate court will rule the same way Judge Collins did, and that when the decision is handed down in the test case now before that court the Board of Trade will be helpless. Those who closed up their business when the Board of Trade began to prosecute are already preparing to reopen their establishments, and there is an all-prevailing cheerfulness among the fraternity.

# Peactising Law at Yale.

NEW HAVEN, Oct. 28 .- The students in the senior class of the Yale Law School have orhart. Beckman, and Montague have been chosen Judges, and others of the students will not as clerks and attorneys, while the professors act as appellate court. A mock trial is soon to be held. The Connecticut code will be the rule of action.

GOULD MAY SAIL ON PAROLE THEY HAD A STORY IN WALL STREET

TRAT HE WAS ARRESTED.

Not Much Chance of an Indictment on the Charge that He and Sage Cabbaged Three Millions of Deaver Pacific Stock in 1886, When Lawyer William H. Delancey suddealy withdrew the suit he had instituted in behalf of Dutch holders of Kansas Pacific bonds against Jay Gould and Russell Sage to recover \$3,000,000 of Denver Pacific stock, which, it was alleged, Gould and Sage, as trustees of the mortgage, had stolen, papers were nevertheless laid before the Grand Jury with a view to a criminal proceeding against Gould and Sage. On Thursday the Grand Jury returned the papers to the District Attorney asking advice as to certain points of law which they presented. In the mean time it became known that Mr. Gould was going to Europe. The reporters at the District Attorney's office asked Mr. Martine early yesterday after-

noon what he was going to do. "We have looked into the case somewhat," said Mr. Martine, "and we are clearly of the opinion that, so far as the taking of the bonds by Messrs, Gould and Sage was concerned, that offence, if there was an offence, is outlawed. But the statute says that the trustee who takes or withholds bonds commits a crime, and it is the meaning of that word withholds' that we have been looking into. It would seem, at first sight, that 'withholds' refers to continuous action, and we have found a decision of one of our courts bearing pat upon that question. I hope to arrive at a decision in the matter on Monday,"
"But Mr. Gould is going to Europe," said a reporter, I don't think Mr. Gould had better go "Now, I don't think Mr. Gould had better go to Europe," said Mr. Martine slowly, "I don't think that would be the thing for Mr. Gould to do."
"But," said another reporter. "Mr. Gould sails for Europe on the Umbria to-morrow

"But." said another reporter. "Mr. Gould salls for Europe on the Umbria to-morrow morning."

"Does he?" said Mr. Martine. "Ah, he expects to sail for Europe, perhaps. We had better put it that way. Now, I can't say any more about the matter. I expect Mr. Gould's counsel, Mr. Almon P. Goodwin, up here this afternoon, and he is going to present his side of the case, which as yet I haven't heard. I shan't do anything before then. No. Mr. Gould has not yet been indicted. But, you know, our Courf of General Sessions is in session all the time."

Before Lawyer Goodwin got up to the District-Attorney's office at 4% o'clock, Wall street had heard something or other, and translated it, regular way, into a report that Gould and Sage had been indicted and arrested. When Mr. Goodwin did come he had a printed brief, and he and Mr. Martine sat over it for an hour. Then the District-Attorney called in the reporters and said:

"We have looked into this case, and Mr. Gould is going to Europe to-morrow. We have so far examined the case as to have very grave doubts whether any accusation at this time would lie against Mr. Gould. It looks as if the statute of limitations commenced to run in 1879 or 1880. The only word in question is the word 'withholding.' Mr. Delancey and his friends maintain that any person who takes or withholds as a trustee is amonable. In other words, they say that the word 'withholds' renders it impossible for the statute to run out, we are not of that view. We find one United States Supreme Court decision and some State Court decisions holding with us. One of these decisions is of a New York court, but not the Court of Appeals decision in the same line. You see, the statute says that the only crimes that shall not outlaw are murder and the maintaining of a public nuisance. Manifestly, Mr. Gould's alleged offence is neither of these. It does not seem as if there was reason, at present, to cause the arrost of Mr. Goodwin, who is of the firm of Vanderpoel, Green & Cuming, Mr. Gould's counsel, that if I shall c

AFTER SEVENTEEN YEARS.

#### Pardon for a Man Under Life Sentence for the Murder of his Sweetheart.

INDIANAPOLIS, Oct. 28 .- Along in the early seventies Chauncey Barnes, a young man, fell n love with a young woman of Laporte county. She reciprocated the feeling, and they were looking forward to a happy marriage when the mother of the girl made violent opposition. A fit of despondency seized Barnes, and it clung the more closely to him when he discovered that his sweetheart, although protesting that she loved him, refused to proceed further without the consent of the mother. One day he deliberately shot her dead, and all but killed himself. On his recovery he was tried for murder and sentenced to the penitentiary for life.

united in a petition for pardon. In a letter to the Governor, Barnes says:

I wish to assure your Excellency that your elemency in my case is fully appreciated, and that by maily endeavor and itm adherence to duties I have the confidence that leads me to hope that my efforts to be a good citizen will be aided. The pleasing way that I have been treated since my return has much affected me. My parents are now very aged people, and they were almost overpowered with joy when they met me.

#### Unexplored America Has Much Gold. MINNEAPOLIS, Oct. 27 .- Dr. Dawson, As-

sistant Director of the Geological Survey, who headed the party sent by the Dominion Government to explore the country adjacent to the Alaska boundary, has returned to Victoria. Two of his party, Messrs, Ogilvie and McConnell will winter in the district making astronomical observations, which will give data for the establishment of the international boundary. The exploration so far has secured a great deal of geological, geographical, and general information of the country, and indicates that it is far from being the Arctic region it is sometimes represented to be. The point from which the Doctor turned back was at the junction of the Lewis and Pelly rivers. It is 1,000 miles north of Victoria. There the flora was found to differ but little from that on the banks of the Fraser. A great deal of open grassy country exists along the streams tributary to the Yukon. No areas of tundra or frozen swamps, such as are to be met with in the interior of Alaska, were discovered by the expedition. The Doctor's conclusion is that the whole country from Cassian to the vicinity of Forty Mile Creek, on the Yukon River (which must be near the eastern boundary of Alaska), yields more or less gold in placer deposits. This would constitute a gold-bearing region fully 500 miles in length by an indefinite width, and which, so far, in comparison to the area, has been very little prospected. ary. The exploration so far has secured a

A Little Civil War in California,

SAN FRANCISCO, Oct. 28 .- United States District Attorney Carey has received a tele-gram from the Sheriff of Mendocino county informing him that he was gathering a posse to capture Capt. Shaw, whom Gen. Howard had sent in command of United States troops to sent in command of United States troops to eject sheep herders and others from the Bound Valley Indian Reservation in this State. The telegram also states that the State Court had issued a writ of injunction ordering Capt. Shaw to desist from removing the trespassers. District Attorney Carey advised Gen. Howard to order Capt. Shaw to surrender to the Sheriff, which Gen. Howard declined to do without an order from the President or the Secretary of War. Thereupon Carey sent a despatch to the Attorney-General at Washington, in which he states that if the Sheriff persists and Gen. Howard continues to refuse, it will probably result in bloodshed.

A Portion of the Chinese Indomnity Returned WASHINGTON, Oct. 28 .- The Secretary of State is in receipt of a note from the Chinese Minister here, returning, by direction of his Government, a portion of the Rock Springs in-

demnity. Intely appropriated by Congress, which represents the amount of six claims, which in the final distribution of the appropriation, have been ascertained to be duplications. Mr. Bayard has appropriately acknowledged this honorable action of the Chinese Government, and the amount so refunded will be covered into the Treasury.

A reception to the students in the colleges and business schools of the city was given last evening in the rooms of the Young Men's Christian Association in Twenty-third street,

Christian Association in Twenty-third street, Students were present from Columbia College, the College of the City of New York, the University of New York, and Fackard's Eusiness College, Prof. Jasper T. Goodwin of Columbia College delivered the address of welcome, and Dr. John Hall spoke on "The Habits of Student Life." A class drill was given in the symnasium, in which seventy-live young men tool part. The students sang college songs, and ended their entertainment with a gupper.